

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *ag* D.C.
05 JUN 15 PM 2:57
ROBERT R. DI TROLIO
CLERK, U.S. DIST. CT.
W.D. OF TN, MEMPHIS

UNITED STATES OF AMERICA,)	
)	
Plaintiff)	
)	
v.)	
)	
BRYAN CONSTRUCTION COMPANY, INC.,)	
PATTON & TAYLOR CONSTRUCTION CO.,)	Case No.: 05-2188-M/P
TAYLOR GARDNER ARCHITECTS, INC.,)	
LOONEY-RICKS-KISS ARCHITECTS, INC.,)	
RICHARD A. BARRON, THE REAVES FIRM,)	
INC., SMITH ENGINEERING FIRM, INC.,)	
DAVID W. MILEM, BELZ / SOUTH BLUFFS,)	
INC., HT DEVCO, INC. and STEVE BRYAN.)	
)	
Defendants.)	

PROPOSED SCHEDULING ORDER

Pursuant to written notice, a scheduling conference was held on June 9, 2005 by telephone. Present were Thomas Keary, and Kevin Kijewski, counsel for the United States, and Theresa Kitay, Joel Roberts, Steve Smith, Barry Bridgforth, William Jeter, John McQuiston, and Ted Hayden counsel for defendants. At the conference the following dates were established as the final dates for:

INITIAL DISCLOSURES pursuant to Fed. R. Civ. P. 26(a)(1): July 8, 2005.

JOINING PARTIES: September 23, 2005.

AMENDING PLEADINGS: September 23, 2005.

INITIAL MOTIONS TO DISMISS: September 23, 2005.

COMPLETING ALL DISCOVERY: April 28, 2006.

(a) **DOCUMENT PRODUCTION:** April 28, 2006.

(b) **DEPOSITIONS, INTERROGATORIES AND REQUESTS FOR ADMISSIONS:** April 28, 2006.

(c) **EXPERT WITNESS DISCLOSURE** (Rule 26):

(1) **DISCLOSURE OF PLAINTIFF'S RULE 26 EXPERT INFORMATION:** February 24, 2006.

(2) **DISCLOSURE OF DEFENDANT'S RULE 26 EXPERT INFORMATION:** March 24, 2006.

(3) **EXPERT WITNESS DEPOSITIONS:** April 28, 2006.

FILING DISPOSITIVE MOTIONS: May 26, 2006.

OTHER RELEVANT MATTERS:

The parties by written stipulation pursuant to Fed. R. Civ. P. 30(a)(2) agree that the United States may take up to 20 depositions without leave of the Court.

No deposition may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

This case is set for jury trial, and the trial is expected to last 12 days. The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge,

This case is appropriate for ADR. The parties are directed to engage in court-annexed attorney mediation or private mediation during discovery or after the close of discovery.

The parties are reminded that pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

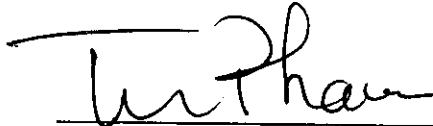
The opposing party may file a response to any motions filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting

for the reasons for which a reply is required.

The parties have not consented to trial before the magistrate judge.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'Tu M. Pham', written over a horizontal line.

TU M. PHAM

UNITED STATES MAGISTRATE JUDGE

DATE: June 14, 2005



Notice of Distribution

This notice confirms a copy of the document docketed as number 27 in case 2:05-CV-02188 was distributed by fax, mail, or direct printing on June 16, 2005 to the parties listed.

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Honorable Jon McCalla
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